

**CITY OF EASTPORT
CITY COUNCIL MEETING
WEDNESDAY, JULY 8th, 2015
SHEAD HIGH SCHOOL - LIBRARY - 5:30 P.M.**

EXECUTIVE SESSION - 5:30 P.M. TO 6:00 P.M.

<u> x </u> Personnel Matters	Title 1 M.R.S.A. § 405(6)(A)
<u> x </u> Real Property or Economic Development	Title 1 M.R.S.A. § 405(6)(C)
<u> </u> Labor Negotiations	Title 1 M.R.S.A. § 405(6)(D)
<u> </u> Consultation w/Legal Counsel	Title 1 M.R.S.A. § 495(6)(E)
<u> </u> Poverty Abatement Application	Title 36 M.R.S.A. § 841

Those in Attendance: Councilor Roscoe Archer, Councilor Michael Cummings, Councilor Colleen Dana-Cummings, Councilor Gilbert Murphy, and Council President, Mary Repole. Also present were City Manager, Elaine Abbott Legal Counsel, Dennis Mahar, and City Clerk, Ella Kowal.

MOTION ARCHER **SECOND** MURPHY **(PASSED 5-0) TIME: 5:32 P.M.**
To go into Executive Session under Personnel Matters Title 1 M.R.S.A. § 405(6)(A) and Real Property or Economic Development Title 1 M.R.S.A. § 405(6)(C).

MOTION MURPHY **SECOND** ARCHER **(PASSED 5-0) TIME: 5:47 P.M.**
To come out of Executive Session.

REGULAR COUNCIL MEETING - 6:00 P.M.

Those in Attendance: Councilor Roscoe Archer, Councilor Michael Cummings, Councilor Colleen Dana-Cummings, Councilor Gilbert Murphy, and Council President, Mary Repole. Also present were City Manager, Elaine Abbott and Legal Counsel, Dennis Mahar. and City Clerk, Ella Kowal.

Those present in the audience were as follows: Jan Finley, Paul Theriault, Kenneth Johnson, Pauline Emery, Scott Emery, Jon McNerney, Jack Reece, Deborah O'Neil, Michael Morse, Bub Andrews, Holly Ferguson, David Gholson, Robert Scott, David Stanley, Steve Glatfelter, Elizabeth Hastings-Renner, Lora Whelan, Diane Muessig, Meg McGarvey, Melanie Cummings, Will Bradbury, Linda Lingley, Jimmy Lingley, Walter Cummings, Traci Claroni, MJ Summers, Erin Mahar, Chris Brown, Richard Klyver, Jon Calame, Chris Vizzcarando, and Steve Trieber.

I. CALL TO ORDER - Council President called the meeting to order at 6:00 p.m.

II. ACTION from EXECUTIVE SESSION

MOTION CUMMINGS **SECOND** MURPHY **(PASSED 5-0)**

To authorize the City's Legal Counsel, Dennis Mahar, to contact the homeowner of 1 South Street and give them notice that they have thirty days to make payment in full that is due the City for Taxes and Sewer. If payment is not received by the next Council meeting of August 12th, 2015; Council proceed with putting the property out for bid/sale.

III. PUBLIC HEARING(S)

Council President opens the floor at 6:03 p.m. to the public and Council members for questions and/or comments on the following Public Hearing(s):

Councilor Dana-Cummings recuzes herself and sits in the audience.

Sanction of Councilor Michael Cummings

Council President, Mary Repole, declares this public hearing open at 6:03 p.m. and opens the floor and calls for public comment.

Council President asks that the City Manager, Elaine Abbott, read her official complaint filed with the Council President.

Councilor Cummings responds that the complaint is a false statement and further comments to say that this is the first email he received on this and further states he was accused of telling certain parties and starting trouble about the Denmark trip. He states he has a right to an opinion and did say that he did not feel how the Denmark trip and spending \$3,000 would benefit the City and if this is an amount to be spent on training then Council should take a look at how much should be allocated. He expounds further on his question about an extra person helping out the City crew. He stated that The City Manager explained that it takes two people when the pump truck is utilized and that we had three people sweeping. It was his understanding that when we got the pump truck it would be a savings and that , we would no longer have to hire out personnel. He has a right to asks questions. He comments that she never came back for his input and feels strongly that she went to Council and that this complaint was plotted and planned. As for his position on how he feels about the Port and Downeast Ambulance, it is always in the best interest of the citizens and taxpayers of Eastport that he asks questions. He does not accept the complaint of the City Manager and contends that he does not interfere any more than anyone else that visits City Hall. He also stated that Council never bothers to asks his side of things on anything and matters such as sanctions are prepared before getting all the details.

The City Manager reminds Councilor Cummings of his presence at the Public Works building prior to personnel being there and wanting to know why they were late when the fact of the matter was they were out completing tasks for preparing for the 4th of July

Council President responds that there was a formal complaint and she followed the process. Councilor Cummings responds it is one sided.

Councilor Dana-Cummings recused herself from the table and is in the audience. She asks the Council President asks for clarification of the sanction and what it is on. The City's Legal responds that the proper process was followed and reads Section 2.05 of the Charter. He further responds that the Council in May chose to hold a public hearing on this formal complaint.

Jon McNerney shares the same sentiment with Councilor Dana-Cummings about due process. Council President responds that this is due process and he responds that it is *now* and he further responds that if the sanction was prepared prior to talking with him that is incorrect.

Tabetha Young from the audience comments to say that the City Manager's complaint was editorialized and the taxpayers of Eastport voted Councilor Cummings in and if he is to be removed it should be by the taxpayers not by the Council. Council President responds that this is not about removing him.

Jon McNerney from the audience comments to say that it looks like they are running a double standard.

Phyllis Bradbury from the audience asks for clarification of defining what the standard is of harassment from the Council. Ms. Bradbury suggests that maybe some type of arrangement should be set that a period of time is set aside for anyone including taxpayers for their questions. City Manager responds that many come in to ask questions and also bring their complaints.

Chris Vizzcarando comments to say that she understood that the City Manager has an open door policy. The City Manager states that she does have an open door policy and should there be able anyone that has come into City Hall and has been shut down or refused to see her, she encourages them to come to her about it. Steve Trieber responds that he has but that he will address it under the airport portion of the agenda.

Deb O'Niel comments to say that there should be respect for what goes on at City Hall and other tasks that they deal with. The City Manager responds to say that it is her primary goal to give consideration and meet with people whenever it works for them.

Holly Ferguson from the audience asks the Council President if there was a sanction prepared before they went into Executive Session and that it is a yes or no question. Council President responds that the form was done but that there were changes to it.

Meg McMargey from the audience comments to say that maybe there could be some sort of procedure or structure set up so that a great deal of time isn't spent monopolizing the time spent at City Hall.

Councilor Cummings responds that he is afraid to now asks questions as it would be conceived that he is micromanaging.

Meg McGarvey from the audience asks what the impact of the sanction is. Council President responds that should the activity continue then something can be done.

Bub Andrews from the audience comments to say that there was no sanction during his first term on Council but when everyone heard that he was going to run again this thing of a sanction of a Councilman has come up. Why is it now coming up on his second term. He states that when Councilor Cummings is asking questions, he is speaking for him as well as he voted her him. Council President responds it is not about asking the questions, it is the manner in which he conducts himself at City Hall and with other City Departments. He wants to know why they waited for Councilor Cummings second term before anything was brought up. Council President responds that there was a committee that was working on the Charter and making changes to be more current. This change to the Charter was put out to referendum and the voters voted on this change before Councilor Cummings was even elected. Legal Counsel, Dennis Mahar, reminds Council that there was a sanction in the Councilor Cummings first term.

Will Bradbury from the audience comments to say that Councilor Cummings does have pointed opinions and that the City Manager is learning how to manage and feels that there should be a management solution on how to deal with people. It must come to a point where something needs to be done so that the City Manager can do her job and that Councilor Cummings can go about his business as well. Council President responds that the entire City Council is the City Manager's boss and that there is a chain of command and she cannot force him to do anything. Her only recourse she has is to file a formal complaint. Council President reaffirms that they all go in with questions and they get answers, it doesn't mean that it is the response they wanted, but this is about the amount of time that is spent on arguments and fights back and forth.

Councilor Cummings states that they already voted to put the sanction on him before they tried to communicate with him.

Councilor Dana-Cummings from the audience asks if there is a time frame on a public hearing. Council President responds that it will close now.

Another comment comes from an audience member who is not a resident but suggests that they need a mediator to conduct such process.

Council President, Mary Repole, declared this public hearing closed at 6:34 p.m.

Amendment to Sale of City Property Ordinance

Council President, Mary Repole, declares this public hearing open at 6:35 p.m. and opens the floor and calls for public comment.

Jan Finley states that Council has been given a copy of the email received from Edward French with regard to the amendments being proposed and that they should be part of the Ordinance.

Councilor Dana-Cummings comments that she is in support of the changes but raises concern how they ensure they continue to follow the process. She suggests that Council hold a second meeting in January of each new year to go over policies and procedures as well as the Charter so that we are all well versed and fresh with any changes. It is recommended that Council

hold an organizational meeting for such matters and then hold their regular meeting the following scheduled date.

Legal Counsel, Dennis Mahar, reminds Council that with the additional language that is being proposed, the sale of City property will *require* a public hearing

Michael Morse from the audience asks for clarification that this is an amendment to the previous change, Council President responds it is.

Council President calls for any further/additional comments. There were none and she declares this public hearing closed at 6:40 p.m.

Transfer of Property at 10 County Road, Tax Map #J7-0B4-01

Council President declares this public hearing open at 6:41 p.m.

The City Manager reminds Council that at their last meeting they voted to go forward with having the property appraised by the State to find out what they would pay for that property for a part of that access road. They brought forth three different forms; the first is an official offer and the other being acquisitions forms. One was for use of the property during a project coming in at \$250.00/per parcel and then the sale of the property which is at the base of the Sewer plant driveway and the State would need to take part of that and they would put a new driveway in and their offer for that section is \$16,125.00.

Councilor Dana-Cummings asks for clarification that they have gone from getting zero \$ to having the potential to receive \$16,125 from said property.

Councilor Cummings also comments to say that they would own it and maintain it and the City Manager responds that is correct. The City Manager reminds Council that the City is responsible for replacing twelve utility manhole covers for Sewer and the estimated cost is about \$12,000.00. Councilor Dana-Cummings asks for clarification from where to where and the City Manager responds it would be the length of County Road she further comments to say that any time work is done on a State road and you have public utilities, the City is responsible or resetting those and putting those to grade and setting them back in. Council President comments to say the only part that is affected is the initial part up to the Sewer plant. The City Manager states that it is a bit complicated as the differential ranges are anywhere from

a 1/4" up to 14" from where the road is at. Councilor Cummings asks if we are responsible for those that extend into County Road. What he is asking about is where the access road will come off and the State will pave the rest of County Road and then handing it back over to the City. So it would be from where the road veers off and becomes County Road to us up to the Sewer Plant anything pass the plant the State will take care of.

Councilor Dana-Cummings is understanding that this doesn't have anything to do with the new access road and who will maintain it. The City Manager responds that what Councilor Dana-Cummings is speaking of is ELRAP funds which is a local road assistance program. When you have a State road in your town, they cut a check which is basically contracting with a municipality to plow and sweep those roads. County Road is a State owned road but we plow it and the ELRAP funds come to us from the State. Because the State is handing over from the

Sewer plant down towards the water, the City will not longer receive ELRAP funds for that portion as the City will now own it. However, the City will receive ELRAP funds for the access road. Councilor Cummings asks if ELRAP funds run out, is the State responsible. The City Manager responds that ELRAP funds have been reducing about 10% per year. If it ever comes to the point there are no funds, they would need to determine it is a public way; State road, etc. Councilor Dana-Cummings asks that the Council President and the City Manager bring this concern up to the Port and that she wants to ensure public access to the road and that the Port maintain it.

Councilor Cummings asks if they are buying the two acres and it belongs to the State, why wouldn't they be liable even if funds run out. The City Manager responds that this is a good question. She recently had a conversation with DOT with regard to Washington Street which is also a State road. What has been ascertained is that the State owns the culverts and underneath but that the City own the sidewalks. What is happening that the culverts are so old and rusting out that it is damaging the sidewalks and causing them to collapse. In speaking with them today, she was informed that there is no money for it, but they want us to engineer it. She was told they might be able to provide some of the pipe and catch basins but they will not install it.

A member from the audience asks for clarification that this access road is to Estes Head and starting some where by the Sewer treatment plant and asks about where the gate point with a slide card be that is being spoken of. Councilor Murphy responds that this would be needed to enter the Port but there was no talk about gating the road off. Diagrams are available at City Hall for review.

Councilor Dana-Cummings then asks should Council vote to accept this offer, then there would approximately \$4,000 to gain from this and Council President responds that should they vote to accept the offer it would to also be clear as to where these funds would go. The City Manager clarifies that it would into excess funds.

Will Bradbury from the audience asks the Council if they do not sell this to the State, is the City still responsible for the manhole covers and the Council President responded "yes".

Councilor Cummings states that he and the City Manager spoke with the City's Assessor and he felt the amount being offered was appropriate.

The Council President calls for additional comments. There were no comments and declares this public hearing closed at 6:50 p.m.

IV. ACTION ON PUBLIC HEARING(s)

Council President calls for motions and comments for action on the public hearings.

Sanction of Councilor Michael Cummings

NO MOTION WAS MADE.

Amendment to Sale of City Property Ordinance

MOTION DANA-CUMMINGS **SECOND** CUMMINGS (PASSED 5-0)

To accept the new amendment changes as submitted for the Sale of City Property Ordinance.

Transfer of Property at 10 County Road, Tax Map #J7-0B4-01

MOTION MURPHY **SECOND** CUMMINGS (PASSED 5-0)

To accept and approve the offer from the State in the amount of \$16,125.00 to transfer said portion at 10 County Road, Referencing Tax Map #J7-0B4-01 over to the State and to utilize \$12,000.00 of those funds to replace the twelve manhole covers as required along County Road and that the remainder of the funds received be put into the excess funds revenue account.

V. DEPARTMENT REPORTS

Will Bradbury from the audience asks if they don't have a budget how can we have much of a Financial Report this year. Council President responds that it is on last year's which is through June 30th, 2015 as this Fiscal Year just started. The Treasurer, Traci Claroni, responds that there will be a *cleanup warrant* forthcoming for FY2015.

Councilor Dana-Cummings asks about the Special Reserve fund account and that it has been in there since 12/15/2011 and it doesn't appear to be earning any interest on it and maybe suggests whoever is investing for the Library give them some advice. She would like to see the City earning interest on what is in the account. A member of the audience asked how much was in there and she responded \$189,000. Council President responded that some of it is sequestered. Council President reminds everyone that the Boat Ramp needs to be completed next year and that there is also \$75,000 ear marked for the revaluation. Council President comments to say a portion should also remain liquid in the event of a need. Councilor Dana-Cummings commented to say that maybe they could consider short-term CD's and Jan Finley from the audience suggests that they consult someone in financial investment.

Jack Reece from the audience asks if the funds are already segregated or if it is already in the General Fund. The Treasurer responds it is in a separate account and that it is sequestered.

Councilor Dana-Cummings asks the Treasurer where on the report would she find that and Mr. Reece responded it should be somewhere on the Balance Sheet.

Meg McGarvey comments to say that she recalls that there were some funds that could not receive gain but that maybe this applied to grant monies. Council President responds that they can inquire with the banks on this.

Councilor Dana-Cummings suggests that maybe we form an Investment Committee. Council President asks the City Manager to talk with the banks and make the inquiry on their behalf and come back to the next meeting with some information. The City Manager suggests that we offer them the opportunity to address us at the next meeting. Legal Counsel, Dennis Mahar, recommends that we hold a special meeting or a workshop separately as they will be making some type of presentation. Council President asks the City Manager to ask them how much they would want and she will call a special meeting.

Phyllis Bradbury asks why the cleanup after the 4th of July wasn't as it usually is in past years. The City Manager responded that she will look into this matter. Ms. Bradbury also spoke to say that she was of the understanding that money that was contributed to the the 4th of July committee was partly used to clean up the City and the City Manager responded that she could not answer to that. Councilor Cummings commented to say that the vendors are responsible for their cleanup of their area prior to leaving town. Ms. Bradbury asks that we look into prior records to see who paid to have the City cleaned up after the 4th. The City Manager responds that the City has always paid for it. She asks if the money that goes to the committee goes to extra police or cleanup as she was told that is what it was needed for. Councilor Dana-Cummings responds that those funds go to the 4th of July committee for fireworks and other activities and that those funds do not go to the City. Councilor Cummings also notes that the City has always supported with the cleanup after the 4th.

MOTION MURPHY **SECOND** CUMMINGS **(PASSED 5-0)**

To *accept and approve* the Financial report; Code Enforcement report; Police Department report; Public Works report; WWTP Sewer report; and the Port report for June, 2015 as submitted and presented.

VI. OPEN PUBLIC FORUM

Council President calls for open public forum at 7:07 p.m.

Steve Trieber addresses the Council and asks the Council President why the airport is still considered a board and not a department considering the amount of income and expenditure. She responds she has no idea and that it has always been that way. Robert Scott responds that it was his understanding that it was organized as a committee Mr. Trieber recommends that it should be revisited. Councilor Dana-Cummings asks him

what the difference would be and he responded he did not know but that he believes it would be more accountable. Council President comments to say that they were looking at this some years ago and were considering it as an Enterprise account. He responds that he has been told that it is an Enterprise account now. She responds it is an Enterprise account and that it runs on its own and that the City is not allowed to take any money from there and the City has no control there. He states that he was not in favor of it and that he did not know of it until he met with Elaine just recently. Councilor Dana-Cummings and Council President commented that the auditor was in support of it and wanted the funds separated out. Mr. Trieber's only support was to have a separate ledger for the airport to show accountability and comments to say that he was never asked about making it an Enterprise account.

Will Bradbury addresses the Council that he mentioned before that they don't have a budget and he doesn't know where this is being addressed in this meeting. He notes that the school was told that they need to cut \$107,000 and raise the City budget \$10,000. He comments that this was the last they heard until the Council approved a budget without receiving the school's budget in line with that and that this has never been done before. They have found it to be arrogant in that the City is saying that this is what you've got and we don't care. Mr. Bradbury states that Mr. Johnson can make a presentation on their budget but as far as he is concerned there was not a budget from the school when we voted. Never before has the City approved a budget before getting the school budget. He feels we need to work together rather than be told we are going to raise our budget and you are going to cut yours.

Council President responds that the original amount of money that was presented to the Council was the money with the \$107,000. It went to the Budget Committee and we did have a meeting where we did meet together and the recommendation of the Budget committee was what the Council ending up going with.

Jack Reece explains that there \$107,000 additional funds plus \$62,000 additional that was in the budget. Mr. Bradbury responds that their budget was \$52,000 lower than it was last year and that is their agreed on budget. He does not see where it is fair that the school should cut their budget and the City raise theirs when the school has more students than they have had in the last two years and they are always to do more with less. He feels it was high handed that the City did not consult the School for what they have a budget for and to look at it.

Council President responds that she spoke with the Superintendent, Ken Johnson, and asked him about setting up a meeting but that it did not work out. She did suggest to him that he come to the meeting and that she was going to ask Council tonight if they would consider a meeting prior to our next regular meeting so that all of this could be discussed. Budgets need to be in front of everyone and Mr. Johnson needs the time to review it and that it needs to be line item by line item same as the way we do any other budget. She also notes that the Budget Committee will be there also. Mr. Bradbury responds that they do not go over the City's budget by line item. Maybe as a citizen he should but not as a School Board member. This is not what he is talking about, we cut their budget and the City's was raised. The City Manager clarifies that the \$10,000 was an increase in municipal Solid Waste. The Council President responds that the actual amount the School is getting is \$62,000 more.

Jack Reece gives a brief review of what happened after the meeting with the Budget Committee and the School Board. When the budget was presented it had \$107,000 plus a \$62,000 increase over last year's budget – that is what was proposed in that meeting. The Budget Committee went back and reviewed the budget and the expenditures for a three year period and came back and said that their recommendation was that they add the \$62,000 needed for the State mandated amount of taxes and that they would keep the local component at \$293,000 as it had been the prior year. So in effect, what the Council approved on the Budget Committee's recommendations was \$62,000 more than last year's budget. The Budget Committee recommendation on the basis of an analysis where we found that there had been repeatedly budgeted items that had never been spent. Mr. Bradbury responds that he would like to see those items as there are always items that are carried over. Mr. Bradbury encourages they we need to meet with them.

The new Superintendent, Ken Johnson, introduces himself and addresses the Council. Although the City has lengthy agenda this evening, he does offer to answer any quick questions. However, he does say that the City and the School do need to come together and meet. He also confirms that the \$62,000 is the local foundation that is required to be raised as stated by the law. He also notes that the legislature as approved an increase in the State subsidy but that the net effect is that it will carry over for next year. He is willing to work with the Council and set a scheduled meeting date but that he has met briefly with the City Manager. Council President comments to say that she feels it will be a good working relationship with the School. Mr. Bradbury spoke that he was concerned when he saw nothing on the agenda for scheduling a meeting. Council President responded that this was going to be brought up under Council Issues. Mr. Bradbury strongly encourages representation of the Budget Committee at the School Board meetings. The City Manager also reminds everyone that should they want to be on the agenda, to contact the City Clerk at City Hall.

Meg McGarvey proposes that the School Committee be on the agenda along with the other department reports.

Jan Finley comments to say that the Assessor completed the listing of the access points to the water and requests a map and a suggestion came from Meg McGarvey to consider public access signs.

Richard Klyver addresses the Council and apologizes for his lateness as he was under the assumption that the meeting was at 7:00 p.m. He speaks to the bronze Mermaid that is about to be placed on the seawall and is scheduled to take place on August 1st, 2015 at 10:00 a.m. where the official unveiling will take place. He states that there are three things that the Council should know. The first being that there will be no reproduction of this three dimensionally without going through him. Anything on a two dimensional such as photos or postcards is fine. The piece will belong to the City once it is mounted and in place. At that point and time, it will be their property and any looking after it will be their responsibility. The only caveat he has is the petina and that bronze is very durable and should hold up very well. However, the petina can be delicate especially people handling it. His advice to the City is that maybe discourage people touching it and to consider roping

it off during fireworks, etc. Touch to the petina will cause it to wear off. He informs Council that a keynote speaker by the name of Philip Jepson from Denmark will be here on August 1st who is an author of a site called *mermaidsofearth.com* which displays all mermaid sculptures of the world and that Eastport is included. He will have pictures of Eastport's progress of inception. Councilor Cummings asks if there is a name for the mermaid. Mr. Klyver states that what they are going to do is submit a contest to the schools and the benefactors will pick from those names submitted. Councilor Dana-Cummings asks what type of maintenance is required by the City. Mr. Klyver responds that a petina is traditionally waxed which and it has a chemical petina on it and then a layer of paste wax which will hold up tremendously well, but that the sun is the hardest element on any sculpture. The main thing is to not allow touch to it. She then asks about the placement/location. He responds that it is going to the extreme left of the Fisherman Sculpture to the Sutherland's building and it will be on the third flat rock out which will be slightly above eye level. Councilor Murphy asks if it is going to be secured. He responds that it will be secured to the under rock and that is his responsibility. Roping it off and posting some type of notice is the City's responsibility.

Chris Brown reminds Council that not all the seawall is owned by the City and the Assessor states that we have an easement to go across. Mr. Klyver said that this is the first he has heard of this and the Council President said that this will be looked into. A member of the audience asks if there is going to be a plaque and Mr. Klyver responds that there will be one with his name and the names of the benefactors.

Councilor Dana-Cummings asks if the easement is going to be affected somehow should they do the transfer of the Fish Pier. Confirmation comes that is separate property.

Meg McGarvey gives a brief announcement that on July 18th the Profesional Association of diving women has declared that women's dive day and an event is being held in Eastport.

Council President made a final call for questions or comments; there we none and closed Open Forum.

VII. ADJUSTMENTS TO AGENDA

MOTION MURPHY **SECOND** ARCHER **(PASSED 5-0)**

To adjust the agenda as requested to add the letter (x) Downtown Committee – Receipt of Advertising Funds under NEW BUSINESS.

VIII. MINUTES OF PREVIOUS MEETING(s) - 6/10/2015 & 6/16/2015

Tabetha Young from the audience asks if the minutes are still going up on the website. The City Clerk informs that she gets them to Robert Scott and he posts them. She notes that the last ones posted were from March, 2015. Robert will check into it. The Clerk clarifies that anytime there is a question of this concern, to contact City Hall immediately so that it can be addressed and looked into. Mrs. Young further comments to say that it is handy for Marc when perpetual care funds are approved by Council. The clerk confirms that she always provides him with a hard copy after Council has approved it.

MOTION ARCHER

SECOND MURPHY

(PASSED 5-0)

To *accept* and *approve* the Council minutes of June 10th, 2015 and June 16th, 2015 as submitted by the City Clerk.

IX. UNFINISHED BUSINESS

(a) Fuel Tank – Public Works (*Requested for the agenda by Councilor Archer*)

Councilor Archer refers to their packet and a quote from Eastern Plumbing for consideration.

The City Manager asks how is it that we control who is getting the diesel gas. Councilor Archer responds that there would be a standard paddle lock and recommends a spreadsheet for each truck that reflects the number of gallons and who the driver was and have it submitted on a weekly basis. He further comments to say that the key system they speak of is \$10,000.00 or more. He also notes that it can be inside or out.

Councilor Cummings did not feel it was something that the City should go with as it raises concern for him that the honor system is not always as honorable as we'd like to think it is. If we were to do it, it would have to be by way of a procedure that is accountable. Councilor Archer responds that could be done with the key system but it would be more expensive. Another area of concern for Councilor Cummings is whether the Port would have access to it.

Councilor Murphy would like to see what the price would be with a key system. Council President agrees that this it is a good idea to investigate this before making a decision.

Councilor Dana-Cummings asks if this would be available to school buses also or any other City departments such as the Airport of Sewer. Councilor Archer responds that it would only be accessible to the Public Works Department. Councilor Cummings asks why it wouldn't be for all City entities as it is the taxpayer's money and if it is to save money he would like clarity on who will be using it and accountability. Meg McGarvey from the audience asks if the City would explore that the school be part of this. Councilor Archer comments to say that it is not for constant use, it is for the winter time when vehicles need fuel at night and they have a means of getting it when they need it. Councilor Dana-Cummings responds that they have access now after hours. She also states that the Police Department has a key and go in when they want so to say they do not have access is not correct and that Public Works also has a key.

Tabetha Young from the audience comments to say that it sounds like a good concept but that there may be potential for misuse and she does not believe that a key system would eliminate this. If there already has been a system in place of access and the availability of keys, then why is this being considered.

Chris Vizzcarando of the audience asks why this expense is being considered now when an arrangement was already in place.

Phyllis Bradbury asks if it would affect the City's insurance to serve diesel. The response was that there are different maintenance costs.

Council President feels that more work and investigation needs to be done before they render a decision. Ms. Vizzcarando asks if we could go back and work this out with Bay City Mobil.

MOTION MURPHY

SECOND ARCHER **(PASSED 3-2)**

COUNCILORS CUMMINGS & DANA-CUMMINGS “NO”

To table this matter until an actual cost is received on a key system.

(b) Flag Pole - Cemetery *(Requested for agenda by Councilor Archer)*

Council President read the Cemetery Advisory Committee's decision submitted by Stephen Collins to not approve the placement of a flagpole in the cemetery on behalf of the Masons. They feel it would start a trend for other organizations.

Paul Theriault brings Council's attention to the stone that is in the Cemetery for the Knights of Pythias.

Marc Young, the Cemetery Supervisor, speaks that he is not against the Mason's request but this is the first he has heard of the Cemetery Committee meeting on this and of their decision.

MOTION MURPHY

SECOND ARCHER **(DID NOT PASS 2-3)**

COUNCILORS CUMMINGS; DANA-CUMMINGS; & REPOLE “NO”

To allow the Mason's to put a flagpole in the Cemetery at their expense.

(c) Drummond Road Clearing

The City Manager reminds everyone this was about the opportunity to have poplar removed from Drummond Road between the sand pit and the Public Works building which is estimated to be about one hundred cord and we would be paid anywhere from \$22.00 to \$24.00 per cord depending on whether or not it is pulp wood but that there were concerns about whether we need to contact DEP and she affirms that this is not necessary. Councilor Dana-Cummings raises a question as to what it would look like afterwards and if they would remove the stumps. The City Manager responded that she understood it to just cutting it but that we could ask about the stumps. Councilor Dana-Cummings expounds that there a lot of people who heat with wood and feels that maybe we should give them that option before a decision is rendered. Walter Cummings comments to say that it is quite a habitat for the four legged friends and this would drive them further into Eastport. A comment comes from the audience in that there is a lot of dry wood out there and that it is a fire hazard. Councilor Cummings reminds Council that they need to check with Steve Trieber about cutting around the airport. Council President comments to say it might not be a bad idea to open it to the public first. Bub Andrews from the audience asked what the reason was for doing this and the City Manager responded that she approached and was asked to bring it to Council for consideration and suggests that it just be left alone.

MOTION DANA-CUMMINGS **SECOND** MURPHY **(PASSED 4-1)**
COUNCILOR CUMMINGS "NO"

To leave it as it is and not accept the offer to remove the poplar.

(d) 911 Listing/Numbers on Houses *(Requested for the agenda by Councilor Archer)*

Councilor Dana-Cummings comments to say that the Assessor has completed this. The Clerk refers back to minutes in 2009 and that the Eastern Area on Aging has information relative to reflective numbers on houses should anyone wish to inquire.

(e) 181 Water Street - Tax Map #H7-0C4-07 (Sabean Property)

The City Manager informs Council that she contacted the owner of 181 Water Street on June 24th and asked him for an update as she had emailed him with regard to the status of his commitment of repairs as per his attendance of a Council meeting on 9/11/2013. She then refers to an email from Robert Scott of 12/3/2014 where he received a response that it was his plan to replace all the windows and the siding and repairs to the roof. The City Manager asked the property owner for a time line on his repairs and she had received nothing until recently and the owner did finally call and did not understand why a time line was being requested and stated that he believed that the house has been secured and that he has a broken back of which the City received a fax from an M.D. Stating that he does have a fracture of the spine and is on light duty for six weeks. Councilor Cummings asks if the owner is delinquent in taxes. The City Manager responds that the property has been the subject of debate over the past several years. A member from the audience comments that pieces of siding was down on the beach recently. A gentleman from the audience spoke and stated that property was fine until they dynamited the driveway to get Sewer up into the house beyond him and that is what loosened the siding up. He further speaks that the foundation is also cracked. Mr. Sabean responds the only reason the fax was sent is that the City Manager requested it to be sent and he states that she didn't call him but that he called her. The City Manager clarifies that she tried to reach him by email. Jan Finley states that people came to the Zoning Board when siding was found on the beach which would have been in May. Mr. Sabean continues to say that he had intentions of being in Eastport and working but he did not have a very good winter and with his current health status it has not allowed him to be here. He has taken the siding off two sides and has taken the roof completely off and put a new roof on. He continues to say that there was nothing wrong with the house until they dynamited the driveway and the people next door dug up the whole south side of the house and put in a foundation. The Assessor addresses the Council and updates the Council that he went down to the property end of May and that there was debris down on the beach but that the tide had probably taken that out. However, he did see one piece in the back. The house is covered in blue tarp and people feel it is an eye soar. Mr. Sabean responds that he is paying taxes as if it wasn't an eye soar as well as what he pays for Sewer when there is no water there at all. He then asks the Council how much time he has before it is demolished. Councilor Murphy and Council President responds that they are not going to do that and that this was brought up to address complaints that were received. Councilor Cummings only asks if there is anything to be unsafe that it be secured and that he correct it. Tabettha Young from the audience suggests that they have some type of documented proof rather than take someone's word.

MOTION DANA-CUMMINGS **SECOND** MURPHY **(PASSED 4-1)**
COUNCILOR ARCHER "NO"

To leave it alone and let the property owner address the safety issues and secure them.

(f) Transfer of Fish Pier

MOTION MURPHY **SECOND** ARCHER **(PASSED 4-1)**
COUNCILOR CUMMINGS "NO"

To transfer the Fish Pier over to the Port Authority.

X. NEW BUSINESS

a) Reinstatement of MicroLoan Program

MOTION CUMMINGS **SECOND** ARCHER **(PASSED 5-0)**

To approve the reinstatement of the program and set up a separate account.

b) Transfer of FY2015 Boat Excise Tax to Harbor Revenue Account - \$2,981.80

Councilor Dana-Cummings reminds Council that not all boats tie up down at the breakwater and that a lot of these go in the lake and doesn't understand why we would give up revenue that could be City income. Legal Counsel, Dennis Mahar, clarifies that it goes to the Harbor and that it is part of the City. Council President states that although the check is made out to the Port it is used for the Harbor Committee. Councilor Dana-Cummings then asks what expenses that they have. The City Manager responds that she is to understand is helps to maintain the floats and the inner basin. It is clarified that berthing fees goes to the Port.

MOTION DANA-CUMMINGS **SECOND** CUMMINGS **(PASSED 3-2)**
COUNCILORS ARCHER & MURPHY "NO"

To table this matter.

c) Perpetual Care Lot – Megan Emery – Bayside West, Section C, Lot #1

MOTION CUMMINGS **SECOND** DANA-CUMMINGS **(PASSED 5-0)**

To approve perpetual care for Megan Emery referencing Lot #1 in the Bayside West Cemetery, Section C, for an amount of \$300.00.

d) Perpetual Care Lot – Brian Gauthier – Bayside West, Section C, Lot #2

MOTION CUMMINGS **SECOND** DANA-CUMMINGS **(PASSED 5-0)**

To approve perpetual care for Brian Gauthier referencing Lot #2 in the Bayside West Cemetery, Section C, for an amount of \$550.00.

e) **Comprehensive Plan** *(Requested for the agenda by Council President, Mary Repole)*

The City Manager updates Council that the last update to the Comprehensive Plan was in 2004 and she had a brief conversation with Judy East of WCCOG of whom we are a member and she estimates a cost of \$12,000.00 to update the plan. Council President suggests that we see if she is able to come to a meeting and talk to us. The City Manager comments to say it is something to consider as the plan guides us with the development of the City how people would like to see it develop and that there are public meetings where people are encourage to come to give their input. The one we have is eleven years old. Michael Morse speaks from the Planning Board's point of view and comments to say that it does need to be updated. Although the State does not require it, the goals from ten or eleven years ago have changed and it clearly needs to be updated. The City Manager also informs Council that when grants are written, they want to know how the project fits in with our Comprehensive Plan. Councilor Dana-Cummings questions how often it is or will be used. The City Manager will contact her and ask her to attend our next meeting of August 12th, 2015. Tabettha Young from the audience feels that we should appoint a committee.

f) **Consideration of Pump Station on Barron Road**

MOTION MURPHY **SECOND** ARCHER **(PASSED 5-0)**

To table this matter.

g) **Sewer Fees/Commitment to City Treasurer for 1st Quarter FY2016**

MOTION ARCHER **SECOND** MURPHY **(PASSED 5-0)**

To approve the commitment of the Sewer Fees to the City Treasurer for the 1st Quarter of FY2016.

h) **Charlie Curtis Junk Yard**

The City Manager updates Council that she has received numerous complaints from residents in Quoddy Village of an illegal junk yard and that it is not zoned as such. This matter came to a head when she received emails and photographs showing that burning was taking place and that it was not brush. A letter was sent to Mr. Curtis from Robert Scott, the Code Enforcement Officer, addressing stating the requirements of operating a junk yard legally and its zoning and that he must contact the City no later than July 1st, 2015 and to date the City has not heard from him. The City Manager was contacted by the Dept. of Environmental Protections of Air Quality Regulations with regard to the burning on that property.

Councilor Cummings thought Mr. Curtis was working on cleaning this site up. The City's Legal Counsel responds that he had taken some stuff out but that he had brought some other stuff back in.

Councilor Dana-Cummings asks if he has been charged with anything. The City Manager responds that when you was contacted about the illegal burning, she had

contacted the Fire Chief, Richard Clark, and he had gone out and spoken with the property owner and asked for his burn permit back as it was being revoked but he said that he couldn't find it. The Fire Chief notified him by mail that he is no longer allowed to burn at all. Legal Counsel states that he had a permit to burn brush but that is not what was being burned. Steve Glatfelter a resident from Quoddy Village comments to say that Mr. Curtis had dug a hole and filled it with household furniture, upholstered furniture, a piano, and some other combustibles and he then circled the fire with home heating oil tanks and put them on top of the fire as well and two of them exploded. The entire neighborhood was filled with toxic smoke. Mike Morse comments to say that he will need a DEP permit for an automobile grave yard. A concern came from the audience that Council should know that the people do not want to see something from the owner that is a short-term quick fix. Another comments comes that he is also crushing vehicles out there with no regard as to what is going into the soil. Councilor Dana-Cummings raises a concern of people not having a place to go and dump for burning and being able to provide an option for them and she wanted to know if Public Works could be opened up. Councilor Murphy responded and said they have the option of going to the Marion Transfer Station

MOTION MURPHY

SECOND ARCHER **(PASSED 3-2)**
COUNCILORS ARCHER & CUMMINGS "NO"

To authorize the City's Legal Counsel, Dennis Mahar, to move forward with the required process and Court proceedings to bring the illegal land use to a halt.

i) Appointment of Tom Fredette, Jamie Mitchell, Sara Fulper, & Sonya Sullivan to Recreation Comm

MOTION CUMMINGS

SECOND ARCHER **(PASSED 5-0)**

To approve the appointment of Tom Fredette, Jamie Mitchell, Sara Fulper, Sonya Sullivan, and Ian O'Hara to the Recreation Committee.

j) Diedre Whitehead w/Maine Coast Heritage Trust – Kiosk/Interpretive Sign/Matthews Island

Ms. Whitehead addressed the Council and explained that they would like to put in a small kiosk at the end of Deep Cove Road to help navigate the right of way that exists at the end of that road out to the bar to get to Matthews Island. The sign would have information on it to respect the private property and that the right of way is only twenty feet wide and to stay within it and that the bar is dangerous if water is going over it and it is only accessible for 2-1/2 hours during low tide and to not allow dogs as they work with the property owners with this reinstatement. She explains that the right of way has not been used for a very long time because of no trespassing signs with attempts from the land owner to keep people out of there but that it is a legal right of way. She informs Council that Eric Asjem knows that she is here tonight making this presentation and that he is willing to work with Maine Coast Heritage. Councilor Cummings wanted reassurance that it would still allow access to the clam diggers and she responded that it would. She notes that the placement of the sign would be on City land. Councilor Dana-Cummings asks for the distance. She was unsure but knew that it

was from the turn around all the way out to the point. Michael Morse asks who owns Matthews Island and she responded it is owned by Maine Coast Heritage Trust. Ms. Whitehead updates Council that the size of the sign is 3' x 6'4" and that it does conform with the requirements. She also notes that it will have a tide chart.

MOTION MURPHY **SECOND** ARCHER **(PASSED 5-0)**

To authorize the placement of a small kiosk/interpretive sign to Matthews Island at the end of Deep Cove Road which is on City property.

(k) Set Interest Rate for FY2016 Taxes

MOTION MURPHY **SECOND** ARCHER **(PASSED 5-0)**

To set the interest rate for the FY2016 delinquent taxes at the maximum rate of 7%.

(l) Approve Tax Collector to Accept FY2017 Tax Pre-Payments

MOTION MURPHY **SECOND** ARCHER **(PASSED 5-0)**

To authorize the Tax Collector to Accept FY2017 Tax Pre-Payments.

(m) Set Date for Interest – FY2016 Taxes (Assessor's Recommendation is Nov. 2, 2015)

MOTION CUMMINGS **SECOND** MURPHY **(PASSED 5-0)**

To set the date for Interest on the FY2016 taxes for November 2nd, 2015 as recommended by the Tax Assessor.

(n) Appointment of Eleanor Norton to the Cemetery Committee

Already done at the Council meeting of 6/10/2015.

(o) Setting Burial Cemetery Fee for Larger Lots (Anything Over 5) to \$225 per Lot

MOTION MURPHY **SECOND** ARCHER **(PASSED 5-0)**

To approve and authorize the setting of burial cemetery fees for large lots of anything over five to \$225.00 per lot.

(p) Perpetual Care Lot – Kim, Kinsman, & Kerry Corthell – Hillside West Section E, New Lots 8A,B,C and 9A,B,C

MOTION CUMMINGS **SECOND** ARCHER **(PASSED 5-0)**

To accept perpetual care for Kim, Kinsman, and Kerry Corthell for new lot #'s 8A, 8B, 8C and 9A, 9B, and 9C in the Hillside West Cemetery, Section E for an amount of \$1,425.00.

(q) Perpetual Care Lot – David Turner – Hillside West, Section E, New Lots, 11A,B,C

MOTION CUMMINGS **SECOND** ARCHER **(PASSED 5-0)**

To accept perpetual care for David Turner for new lots 11A, 11B, and 11C in the Hillside West Cemetery for an amount of \$750.00.

(r) Correction to Breakwater Deed *(Requested for agenda by Legal Counsel, Dennis Mahar)*

Legal Counsel, Dennis Mahar, informs Council that shortly after they did the transfer of deed of the Breakwater over to the Port Authority, it was brought to his

attention that it was not enough for where it connected on to the land and this is what initiates a correction.

The City Manager comments and gives clarification to the people that the City will maintain ownership from Rosie's back to Water Street and that the City retains the boat ramp and that the Port Authority and the public have a right to public access.

Councilor Dana-Cummings asks Legal Counsel to show her where in the corrective deed it ensures that people will have public access.

MOTION MURPHY SECOND ARCHER (PASSED 5-0)

To approve and accept the correction to the deed to add the boundary line on the land to where the Coast Guard Station driveway comes out at the fence, which is eastward to what was already conveyed to the Port in April, 2015 as prepared and submitted by the City's Legal Counsel, Dennis Mahar.

(s) Approval to Discount Airport Fuel for Pat Candelmano at Cost (Requested by Steve Trieber)

Steve Trieber addresses the Council and informs them that the City has little to do at the airport as a result of the labor of the volunteers. He reports that Mr. Candelmano himself put in approximately 1,125 hours last year. He also built a credit card cover and used \$75.00 of his own material and an additional 8 hours of his time to complete this task to assist the credit card machine not needing service. He also purchased a \$200.00 hand held radio for the tractor at his own expense. Mr. Trieber comments to

say that he is little bit taken back and doesn't understand why, as airport manager, he cannot give him fuel at cost as it is not costing the City any money. He sets the fuel price and manages the fuel system and does everything out at the airport but yet he states the City Manager is not comfortable with his request.

Councilor Cummings responds to Mr. Trieber in that Pat Candelmano is a great guy and his time is appreciated but that these things are done as a volunteer. Mr. Trieber comments that these volunteers have a love of aviation and that they do pay a property tax as well as a hanger lease and he also averages 20 hours a week back and forth to the airport. A comment comes from MJ Summers of the audience that her understanding of volunteerism is just that with no compensation. Mr. Trieber responds that he would like to keep his volunteers and tries to give them thank yous and sometimes buys them lunch and maybe the City should appreciate that also. Mr. Trieber says that this is the only one he is asking this for as he does an extraordinary amount of work out there. He also informs Council that Mr. Candelmano puts 400 gallons of gas a year in his airplane at \$.50 cents a gallon. He simply wants to know why he couldn't make this decision and have to bring it before Council. He further states that Public Works is required to maintain the airport. The City Manager explains that she is not authorized to make

those decisions. Mr. Trieber informs Council that there is a visitor from England in attendance of the meeting. Councilor Dana-Cummings makes a request that Mr. Trieber submit some type of report that will help the Council understand the value of the airport.

MOTION ARCHER **SECOND** MURPHY **(PASSED 5-0)**

To approve a discount for airport fuel *at cost* for Pat Candelmo as requested by Airport Manager, Steve Trieber.

(t) Request to Rename the Recycling Committee to Recycling & Solid Waste Comm

MOTION ARCHER **SECOND** MURPHY **(PASSED 5-0)**

To approve the *renaming* of the Recycling Committee to Recycling & Solid Waste Committee as requested.

(u) Appointment of Matt LaCasse to the Zoning Board of Appeals

MOTION DANA-CUMMINGS **SECOND** ARCHER **(PASSED 5-0)**

To appoint Matt LaCasse as a member to the Zoning Board of Appeals.

(v) Letter of Support for ORPC - Energy Grant

The City Manager explains to Council that the City is being asked to offer a Letter of Support to ORPC for a US Dept. of Energy grant that they are applying for.

Councilor Dana-Cummings asks the City Manager if the grant would be spent here. She responds that she is unsure of that. Councilor Dana-Cummings asks if we have a copy of the grant and the City Manager responds that she does not as we are not writing or administering the grant and wouldn't have it. The City Clerk reaffirms that all they are asking for from the City is a Letter of Support.

MOTION MURPHY **SECOND** ARCHER

To offer ORPC a Letter of Support of their grant application.

Councilor Murphy withdrew his motion as there was already one on the floor.

MOTION DANA-CUMMINGS **SECOND** CUMMINGS **(PASSED 3-2)**

COUNCILORS ARCHER & MURPHY "NO"

To table it until the City has had an opportunity to look at the grant before rendering a decision.

(w) Appointment of Cemetery Committee Members (Mary Davis, Steve Collins, Sharon Fickett, Frances Raye, Gary Craig, and Patty Craig)

MOTION ARCHER **SECOND** CUMMINGS **(PASSED 3-2)**

COUNCILORS CUMMINGS & DANA CUMMINGS "ABSTAINED"

To approve the appointment of Mary Davis, Steve Collins, Sharon Fickett, Frances Raye, Gary Craig, and Patty Craig to the Cemetery Committee.

(x) **Downtown Committee - Receipt of Advertising Funds**

Michael Morse addresses the Council to explain that they are simply asking them to allow advertising funds to be run through the City.

MOTION CUMMINGS **SECOND** DANA-CUMMINGS **(PASSED 5-0)**

To approve the recommendation as submitted by Mr. Morse to allow the Downtown Committee to have advertising funds be run through the City.

XI. SCHEDULING of PUBLIC HEARINGS(s) - *THERE WERE NONE*

XII. REPORTS

1) **City Manager**

MOTION ARCHER **SECOND** CUMMINGS **(PASSED 5-0)**

To accept and approve the City Manager's report as submitted.

2) **Boards & Committees (Planning Board; Zoning Board; Historic Review; Harbor; Downtown; Charter Committee; Park Committee; Recreation Committee; Recycling Committee; FY2016 Budget Committee;)**

Steve Trieber addresses the Council and gives a brief report of the Airport's activities. Pat Candelmo was able to keep the airport open this past winter and corporate aircraft was in once a week all winter long. The pancake breakfast was a good success and every dollar went back into the airport. Even though there wasn't that many people in town, they did fairly well and the people truly appreciate the airport. He had a meeting with the State and the FAA about future projects at the airport and the next project is a snow removal equipment building and a new terminal building. He further comments to say that the guys out there at the airport make it presentable. It is tidy and clean, and first impressions mean a lot. However, the building is something less than to be desired; but it keeps them out of the cold in the winter; there's a toilet; and a computer that is provided by the volunteers for them to get weather information at some point they wish to upgrade. There are no projects for 2016, but the following year in 2017 there is a Master Plan that needs to be updated and is required by the FAA. In 2018 there is a runway reconstruction that needs to be done. He reports there are still a lot of life flights services that take place which brings value to the airport. He also reports that he met with the Economic Development person who is doing the brochure and had a chance to provide her with some information on the airport. He then addresses a previous comment of Councilor Cummings with regard to the closing of the airport and notes that people fly into the airport and it is for economic development and that the taxpayers do benefit indirectly. He can only hope that the rest of the Council agrees that there is value to the airport. He updates Council that the entire amount of volunteer hours between everyone is about 1,700 hours and this relieves the City crew of having to do anything out there. He brings up a matter where the fuel system went down and he was away working in

the field. He made a call to City Hall and asked them to call the phone company and have them send somebody out there before the weekend. He spoke with Traci and was told straight up and that she couldn't make a call that day. He then asked to speak with the City Manager, Elaine Abbott, and quotes she responded that he was the Airport Manager and that he should do it. He further comments that he is a volunteer and unpaid for the airport. She told him an email was sent to him and he responded that he was in the field and that he couldn't do it. He got fed up and asked if the City wants to sell fuel and make money or not. He said she responded "don't get pissy with me". He ended up making the call. The City Manager spoke to respond to what he was saying and told her to stop he was talking and had the floor. He is very upset about this and feels that she, as a manager, should manage volunteers and he manages his and does not feel she handled it properly. In the end, he had her give him the phone # from the email and he did make the phone call. He comments to say have we relieved the City of so much responsibility that are not taking any responsibility? It appears that way to him. He also brings up that he went in and asked for an itemized report on the airport for all expenses and all income, from inception of the fuel system. He gets a report from Traci with the told numbers and he doesn't know where to find what he is asking for and that the auditor brings it forward every year. He would like an itemized report because he'd like to go over because he doesn't feel it is accurate. The City Manager responds that she recalls the telephone company wanted to hear from them as to when someone could let them into the building because of the wiring and that the City does not have access to the building. Mr. Trieber responds that the building is open twenty four hours and is never locked. The City Manager comments to say that his direct quote of what she said is not even close and he said he was not going to answer to that. He went to City Hall and he couldn't sort out the information on the report and notice the amount for hangar rents collected for 2015. He cannot watch everything out and asked Traci about the invoicing and believed she said they went out in September. He's a volunteer, but the City has five people at City Hall. He says there needs to be checks and balances and he cannot do it all. Payments are missing as only \$285.00 was collected in 2015. Councilor Dana-Cummings refers to her financial report and it reflects that \$2,160.00 was collected as of 6/30/2015. It is personal opinion that everyone at the airport has taken on so much responsibility that the City has forgotten theirs. He further comments about the the airport being an Enterprise fund and states that there is no way that the airport will support itself. He only wanted to see the proper accounting for the airport and never wanted it to be an Enterprise fund. Council President suggests they get together and meet and that she and Councilor Dana-Cummings are willing to volunteer on this as well. Legal Counsel, Dennis Mahar, comments to say that the FAA requires that it be in a separate account.

Chris Vizzcarando in the audience asks that everyone work on the tone that they speak with and have respect for each other.

There were no meetings or reports from the Planning Board, Zoning Board, or the Historic Board. Councilor Cummings speaks to the Harbor Committee

in that they discussed use of the crane and the fee. The Downtown Committee is working on the survey. Nothing on the Charter Committee. Jan Finley stated she is resigning from the Parks Committee. Councilor Cummings updates Council on the Recreation Committee and that they followed through on spending money for supplies for programs this summer. Marged Higginson addressed Council and reports that there are eleven members and that there is ongoing deep research happening with recycling and trash disposal. Nothing from the FY2016 Budget Committee. Airport previously covered.

MOTION ARCHER **SECOND** CUMMINGS **(PASSED 5-0)**

To accept and approve the Boards & Committees Reports as submitted and/or presented.

MOTION CUMMINGS **SECOND** DANA-CUMMINGS **(PASSED 3-2)**

COUNCILORS ARCHER & MURPHY "NO"

To waive the Sewer fee for the Eastport Peavey Library in lieu of them offering bathroom services to the public and the taxpayers.

3) Council • Ambulance Council • Marion Transfer

Councilor Cummings states that he still feels that the City's rate is not justified.

MOTION ARCHER **SECOND** CUMMINGS **(PASSED 5-0)**

To accept and approve the Ambulance and Marion Transfer reports.

Jon Calame addresses the Council and updates them that they continue to work on community scale energy audit and should give us some numbers at the end of the summer of how much Eastport spends to stay warm and are expecting a large number. He is also representing the energy on sustainable affordable housing and a discussion group is held on a county level. After his work on the audit is complete, they will return back to the revolving fund project.

Councilor Dana-Cummings makes a request for the annual report and does not recall getting one last year. City Manager responds they usually come out in October but that one was done last year.

XIII. ADJOURN

MOTION ARCHER **SECOND** MURPHY **(PASSED 5-0 TIME: 9:33 P.M.)**

To adjourn.